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Attorneys for Plaintiff
JASON EVERETT THOMPSON

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SANTA ROSA DIVISION

In re:

DEAN GREGORY ASIMOS,
Debtor.

Case No.: 11-13214-AJ

Chapter 7

Adv. Case No. 14-01018

**STIPULATED MOTION TO
CONTINUE TRIAL DATE**

JASON EVERETT THOMPSON,
Plaintiff,

v.

DEAN GREGORY ASIMOS,
Defendant.

Judge: Hon. Alan Jaroslovsky

WHEREAS, the Court previously set February 18, 2015 as the trial date (the "Trial Date") for this adversary proceeding in the Scheduling Conference Order and Notice of Trial [A.P. Dkt. No. 17];

WHEREAS, debtor Dean Gregory Asimos filed an appeal in the California Court of Appeal, First Appellate District on October 23, 2013 (Court of Appeal Case No. A140096),

1 whereby he appealed the judgment entered against him and in favor of plaintiff Jason Everett
2 Thompson on August 23, 2013 by the California Superior Court, County of San Francisco (San
3 Francisco Superior Court Case No. CGC-11-514980);

4 WHEREAS, debtor Dean Gregory Asimos disputes the validity and amount of plaintiff
5 Jason Everett Thompson's claim in this adversary proceeding, which relates to the judgment
6 entered by the California Superior Court, County of San Francisco;

7
8 WHEREAS, pursuant to the filing of debtor Dean Gregory Asimos' appeal, the
9 California Court of Appeal is now reviewing the California Superior Court's judgment;

10 WHEREAS, plaintiff Jason Everett Thompson's adversary complaint seeks a
11 determination of nondischargeability of certain debts included in the Superior Court judgment,
12 in whole or in part, under 11 U.S.C. § 523(a)(6), thus rendering the decision of the Court of
13 Appeal essential to determining whether there is any potentially dischargeable debt involved in
14 this adversary proceeding;

15
16 WHEREAS, the parties completed briefing in the California Court of Appeal on January
17 12, 2015, and counsel for plaintiff Jason Everett Thompson has been advised by the Deputy
18 Clerk of the California Court of Appeal that oral argument will not be scheduled for at least
19 three (3) months and that a decision will not be rendered for a further period of time thereafter;

20
21 WHEREAS, proceeding to trial prior to resolution of the matters before the California
22 Court of Appeal would produce potentially duplicitous and unnecessary litigation, thereby
23 wasting judicial resources;

24
25 NOW THEREFORE, the undersigned parties hereby stipulate to the foregoing recitals
26 and respectfully request that the Trial Date and related discovery and briefing deadlines be
27 continued until November 2015 in order to allow time for a decision to be rendered by the
28 California Court of Appeal.

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DATED: January 15, 2015

KYLE LAW CORPORATION

By /s/ Stephan E. Kyle
Stephan E. Kyle, Esq.
Andrew H. Winetroub, Esq.
Attorneys for Jason Everett Thompson

DATED: January 15, 2015

SAGARIA LAW, P.C.

By /s/ Joe Angelo
Joseph Angelo, Esq.
Attorneys for Dean Gregory Asimos

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